

**UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE TENTH CIRCUIT**

IN RE PETER COULTER,

Debtor.

BAP No. CO-12-013

PETER COULTER,

Appellant,

Bankr. No. 11-22535
Chapter 13

v.

DISMISSAL ORDER

JAMES DAVIS, doing business as Auto
Recyclers, FERYDOON ASGARI, AR
& BA, LLC, JERRY PRIDDY, GARY
BERGMAN, DAVID JONES, and
S-LINE MOTORSPORT LLC,

March 16, 2012

Appellees.

Before RASURE, KARLIN, and SOMERS, Bankruptcy Judges.

On March 1, 2012, this Court entered a Notice of Deficiency and Order to Show Cause ("Order"), requiring the pro se Appellant Peter Coulter to do the following within fourteen (14) days, or the appeal would be dismissed:

Appellant must either (i) pay to the bankruptcy court the \$293 appeal filing fee set forth in the Bankruptcy Court Miscellaneous Fee Schedule (in addition to the \$5 statutory fee that has already been paid) as required by 28 U.S.C. § 1930 and 10th Cir. BAP Local Rule 8001-5, or (ii) obtain a waiver of such fee by filing a motion with the bankruptcy court pursuant to 28 U.S.C. § 1930(f) and 10th Cir. BAP Local Rule 8001-6.

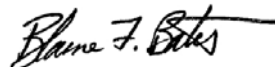
The deadline set forth in the Order has expired without a response, and the referenced fee has not been paid, nor has Appellant sought a waiver thereof. Fed. R. Bankr. P. 8001(a); 10th Cir. BAP L.R. 8001-5 & 8001-6. As such, this appeal must be dismissed, subject to Appellant's right to cure during the rehearing period set forth in Federal Rule of Bankruptcy Procedure 8015, after which time our

mandate will issue, divesting this Court of jurisdiction over this appeal.

Accordingly, it is HEREBY ORDERED that:

- (1) This appeal is DISMISSED for failure to prosecute. Fed. R. Bankr. P. 8001(a); 10th Cir. BAP L.R. 8018-4.

For the Panel:

A handwritten signature in black ink, appearing to read "Blaine F. Bates", with a stylized flourish at the end.

Blaine F. Bates
Clerk of Court